

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI**

JEREMY STALLSWORTH)
Individually And On Behalf Of)
All Others,)
Plaintiffs,)
vs.) Case No.: 17-cv-4180-NKL
MARS PETCARE US INC)
Defendant.)

PLAINTIFF'S MOTION FOR ATTORNEYS' FEES AND COSTS

COMES NOW, the Plaintiff, by and through counsel, and for this Motion for Attorneys' Fees and Costs states:

1. The Plaintiff filed a case against the Defendant on August 23, 2017, in the Circuit Court of Cole County, Missouri. The Defendant removed the case from the Circuit Court of Cole County, Missouri to the Western District of Missouri on September 21, 2017.
2. On or about October 12, 2017, the Defendant filed two motions; a Motion to Consolidate this case, 17-04180-CV-C-NKL with the case *Stallsworth v. Staff Management / SMX et al.*, case number 17-04178-CV-C-NKL, and a Motion to Compel Plaintiff's Claims to Individual Arbitration, and Dismiss or, in the Alternative, Stay the Instant Action.
3. The Plaintiff filed a Response to the Motion to Consolidate and a Response to the Motion to Compel Plaintiff's Claims to Individual Arbitration, and Dismiss or, in the Alternative, Stay the Instant Action on November 21, 2017.
4. The parties subsequently reached a settlement and filed a Notice of Settlement on November 30, 2017.
5. The Court dismissed this case on December 1, 2017.

6. On January 30, 2018, the Plaintiff filed a Motion to Reopen the Case and Extension of Time to Finalize Settlement.

7. This Court reopened this case on February 2, 2018, and granted the Plaintiff thirty days to file a Motion for Attorneys' Fees if the parties could not agree on the Plaintiffs' attorney's fees in this matter.

8. Plaintiff seeks compensation for a total of no less than 85.6 hours worked and costs of \$184.47. The fees currently incurred break down as follows:

Brown - 43.5 hours worked at \$550 a hour totaling \$23,925.00;

Watkins - 28.7 hours worked at \$550 a hour totaling \$15,785.00; and

Graham - 13.4 hours worked at \$100 a hour totaling \$1,340.00.

Total fees currently incurred = \$41,050.00

The cost of \$184.47 represent a \$107.47 filing fee and a service fee of \$77.00. No other costs are being requested at this time.

9. In conjunction with this Motion, Plaintiff will file a Memorandum in Support, Declarations of Attorneys C. Jason Brown and Jayson A. Watkins, itemized Time Records and a brief Firm Resume.

10. Plaintiff's counsel respectfully submits that this request is made in good faith and is based on an itemized record of work and request for reasonable attorneys' fees and costs. Counsel will submit an updated record of time at the conclusion of briefing but before any oral arguments granted by the Court.

WHEREFORE, Plaintiff, Jeremy Stallsworth, moves the Court for an award of costs in an amount of \$184.47 and attorneys' fees in an amount not less than \$41,050.00 plus any additional fees incurred through the conclusion of this matter, pursuant to the settlement

agreement entered into by the parties and the Fair Credit Reporting Act, 15 U.S.C. §§ 1681o(a)(2) & 1681n(a)(3).

Respectfully submitted,

By: /s/ Jayson A. Watkins
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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that on this 5th day of March, 2018, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following CM/ECF participants:

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/s/ Jayson A. Watkins
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